



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**CERTIFICATION UNDER 37 CFR 1.8**

I hereby certify that the documents referenced herein are being deposited with the United States Postal Service as First Class Mail on the date indicated below to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 1/18/06 Depositor's Name: Leah Saar

Depositor's Signature: 

In re Appln. Of Leone, Steven B. Atty. Docket: C4-1099

Title: ELECTRONIC ARTICLE SURVEILLANCE MARKER  
DEACTIVATOR USING PHASE CONTROL DEACTIVATION

Serial No: 10/688,822 Art Unit: 2632

Filed: October 17, 2003 Examiner: Mullen, Thomas J.

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**RESPONSE TO EX PARTE QUAYLE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 11, 2005 having a shortened 2 month statutory period set to expire May 11, 2005, extendable to September 11, 2005 by petition attached hereto, kindly amend the above-identified application as follows, no new matter is added:

**Amendments to the Specification** begin on Page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begin on Page 4 of this paper.

**Amendments to the Drawings** begin on Page 8 of this paper and include an attached replacement sheet.

**Remarks** begin on Page 9 of this paper.